

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
6:00 PM – TUESDAY, JANUARY 3, 2017**

Members of the El Mirage City Council will attend either in person or by telephone conference call.

Please silence all electronic communication devices (including cell phones and pagers) before the meeting is called to order. Thank you.

Note: The Common Council of the City of El Mirage, by a duly passed motion, may vote in public session to adjourn to executive session on any agenda item in conformation with A.R.S. Section 38.431.03 including legal advice from the City Attorney.

Agenda

I. ROLL CALL

Mayor Lana Mook
Councilmember Roy Delgado
Councilmember Jack Palladino
Councilmember David Shapera

Vice Mayor Joe Ramirez
Councilmember Bob Jones
Councilmember Lynn Selby

II. CALL TO ORDER

Pledge of Allegiance
Moment of Silence
Silence Cell Phones & Pagers

III. PROCLAMATIONS

- P1.** Proclamation to recognize January, 2017 as Care Enough to Get in the Way Month. (Administration)

IV. CALL TO THE PUBLIC

Citizens desiring to speak on a matter that IS NOT on this agenda may do so at this time. Comments shall be limited to three (3) minutes per person and shall be addressed to the City Council as a whole. At the conclusion of the Call to the Public, individual City Council Members may (1) respond to criticism made by those who have spoken (2) direct staff to review or respond to the matter, and/or (3) direct that the matter be put on a future agenda.

V. CONSENT AGENDA

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

1. Consideration and action approving the minutes of the Special Council Meeting held Tuesday, November 15, 2016 and the Workshop and Regular Council Meeting held Tuesday, December 6, 2016. (City Clerk)
2. Consideration and action to approve the destruction of municipal documents that have reached the end of their retention period as authorized under A.R.S. §41-151.19. (City Clerk)
3. Consideration and action to reject the bids received for the Community Garden Relocation and Improvements, Solicitation Number: EM16-PK01 and authorize the City Manager to procure quotes from Job Order Contract (JOC) contractors. (Development & Community Services)

VI. REGULAR AGENDA

- A. Consideration and action to authorize the purchase of a Multiple Interactive Learning Objectives (MILO) Range Pro Training System from IES Interactive Training under GSA Contract #GS-00F-332CA in an amount not to exceed \$50,818.50 funded from police vehicle impound fees. (Police)
- B. Consideration and action to approve Resolution R17-01-01 updating the locations for legal postings for agendas, public hearings and other publications requiring legal posting. (City Clerk)

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

The City Council may not act upon any matter in the City Manager's summary but may have general comment or questions. Items to be discussed will include, but not be limited to, the following:

1. New Employees
2. Public Safety Day – January 28, 2017
3. Police Report on Shooters World
4. Report on Grand Opening Ceremony

VIII. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS

The Mayor and City Council may not discuss or act upon any matter in the summary unless the specific matter is properly noticed for legal action.

IX. ADJOURNMENT

Accommodations for Individuals with Disabilities - Alternative format materials, sign language interpretation, assistive listening devices or interpretation in languages other than English are available upon 72 hours advance notice through the Office of the City Clerk, 10000 NW Grand Avenue, El Mirage, Arizona, (623) 876-2943, TDD (623)933-3258, or FAX (623) 876-4603. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

AFFIDAVIT OF POSTING – CITY COUNCIL MEETING OF JANUARY 3, 2017


I hereby certify that this agenda was posted by 5:00 p.m. on December 30, 2016 at the following locations:

1) the City of El Mirage Exterior Bulletin Board at 12145 N.W. Grand Avenue, and 2) the City of El Mirage website at www.elmirageaz.gov.

Sharon Antes, City Clerk

REQUEST FOR COUNCIL ACTION

| | | |
|--|--|---|
| DATE SUBMITTED: <u>12/14/2016</u> | TYPE OF ACTION: ___ RESOLUTION # _____ ___ ORDINANCE # _____ <u>X</u> OTHER: Proclamation | SUBJECT: Proclamation to recognize January, 2017 as Care Enough to Get in the Way Month. |
| DATE ACTION REQUESTED: <u>01/03/2017</u> | | |
| <u>X</u> REGULAR ___ CONSENT | | |

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|--|
| TO: Mayor and Council |
| FROM:  Amber Wakeman, Intergovernmental and Public Relations Manager |
| RECOMMENDATION: N/A |
| PROPOSED MOTION: N/A |
| ATTACHMENTS: Proclamation |

DISCUSSION: Leadership West is hosting a youth conference in January to help teach kids how to be leaders and report when they see something that could harm a classmate. Leadership West has asked all West Valley cities that have schools involved in this project to support a proclamation declaring the month of January, 2017 as Care Enough to Get in the Way Month. Leadership West will present this proclamation at the January youth conference. Other West Valley cities supporting this project are Tolleson, Peoria, Avondale, Glendale and Buckeye.

FISCAL IMPACT: None

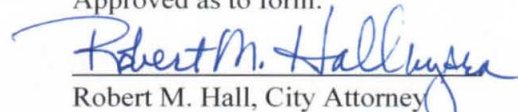
DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

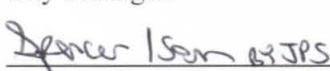
Deputy City Manager/Finance Director:

 12/29/16
Robert Nilles Date

Approved as to form:

 12/29/16
Robert M. Hall, City Attorney Date

City Manager:

 12/29/16
Dr. Spencer A. Isom Date

*Office of the Mayor
City of El Mirage*

**PROCLAMATION
CARE ENOUGH TO GET IN THE WAY MONTH
JANUARY 2017**

WHEREAS, the Care Enough to Get in the Way movement presents an ideal opportunity to help bridge the gap between our local community, government, and law enforcement in a positive way; and

WHEREAS, our local schools are facing unnecessary tragedies where warning signs are placed on social media or observed in person, but are not being reported as serious threats or cries for help; and

WHEREAS, our youth need to be empowered to report concerning posts or comments to law enforcement or school representatives, and to help spread the message that it is okay to care enough to get in the way--to speak up, stand up and save a life; and

WHEREAS, more than 700 students from 55 West Valley schools will be the first inaugural group to learn and promote the message to take back into their schools and communities;

NOW, THEREFORE, the City of El Mirage proclaims the month of January, 2017 as **CARE ENOUGH TO GET IN THE WAY MONTH**. Arizona schools, students, parents, educators, police departments, and community organizations are encouraged to engage in a variety of awareness and prevention activities designed to make our communities safer for all children and adolescents.

IN WITNESS THEREOF, I, Mayor Lana Mook, have hereunto set my hand and cause the Seal of the City of El Mirage to be affixed this 3rd day of January, 2017.

Lana Mook, Mayor

REQUEST FOR COUNCIL ACTION

| | | |
|---|--|--|
| DATE SUBMITTED: <u>12/27/2016</u> DATE ACTION REQUESTED: <u>01/03/2017</u> <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> CONSENT | TYPE OF ACTION: <input type="checkbox"/> RESOLUTION # <input type="checkbox"/> ORDINANCE # <input checked="" type="checkbox"/> OTHER: Approval of Minutes | SUBJECT: Consideration and action approving the minutes of the Special Council Meeting held Tuesday, November 15, 2016 and the Workshop/Regular Council meeting held Tuesday, December 6, 2016. |
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| |
|--|
| TO: Mayor and Council |
| FROM: Sharon Antes, City Clerk <i>pro</i> |
| RECOMMENDATION: Approve minutes of the Special Council Meeting held Tuesday, November 15, 2016 and the Workshop/Regular Council meeting held Tuesday, December 6, 2016. |
| PROPOSED MOTION: I move to approve minutes of Council meetings as presented. |
| ATTACHMENTS: Draft Minutes |

DISCUSSION: Draft minutes are attached for Council's review and approval.

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Deputy City Manager/Finance Director:

Robert Nilles
Robert Nilles

12/29/16
Date

Approved as to Form:

Robert M. Hall
Robert M. Hall

12/29/16
Date

City Manager:

Dr. Spencer A. Isom
Dr. Spencer A. Isom

12/29/16
Date

**SPECIAL MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
6:00 PM – TUESDAY, NOVEMBER 15, 2016**

Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilmember Roy Delgado, Councilmember Bob Jones, Councilmember Jack Palladino, Councilmember Lynn Selby, Councilmember David Shapera

II. CALL TO ORDER

Meeting was called to order at 6:00 P.M.
Pledge of Allegiance
Moment of Silence
Silence Cell Phones & Pagers

III. SPECIAL AGENDA

- A. Public hearing in partnership with Maricopa County Human Services to request public comments on a change in use for the El Mirage CDBG funded fire station, built in 1997, to a proposed new use as an ambulance station to serve the City of El Mirage. (Finance)

Mayor Mook convened into Public Hearing.

City Manager Dr. Spencer Isom, Finance Director Robert Nilles and Grants Writer Janeen Gaskins presented. Mr. Nilles stated this Public Hearing is specifically to meet HUD and CDBG requirements and will consist of four sections: history, comments from Dr. Isom, general terms of an eventual agreement, and repurpose justification. Representatives Rachel Milne and Carl Morgan from Maricopa County Human Services were present at this public hearing.

The original station was constructed in 1997 with CDBG funds of \$517,000 and the City's land contribution valued at \$133,000. A new fire station, located adjacent to this station on the north side, began construction in 2011 and was completed in 2012. During this time, the City explored repurposing options with Maricopa County for the original station given the federal restrictions on uses. Over the past several years the City's ambulance service, Southwest Ambulance/Rural Metro, filed bankruptcy and the City began negotiating with AMR for a back-up service agreement. Since then AMR has acquired SW Ambulance and is operating in an area approximately two miles south on El Mirage Road. The City is currently seeking approval from HUD and the County to repurpose the original fire station to enhance ambulatory services in the downtown area of El Mirage.

General terms of the proposed agreement include 72,871 square feet of land, 5,245 square feet of building space, with an initial term of 36 months that is cancellable if AMR loses its Certificate of Necessity (CON). Tenant will have use for operations, housing, staging, and other related administrative and support functions. Tenant will provide maintenance and improvements in lieu

of rent. Cost savings to the City include building maintenance, ground maintenance, utilities, equipment repairs/ replacement, tenant improvements and insurance for a minimum savings of \$10,000 per year.

Repurposing justification includes the HUD requirements of meeting national objectives; it is a HUD eligible activity and is non-governmental. This purpose serves a targeted population of 0-5 years old as well as 65 and older years old with a 53% low income resident population. The building is considered “non-entitlement” which means it will always be a HUD building; the option to sell the property and pay HUD for fair-market value has been determined not feasible. El Mirage is a federally recognized medically underserved area and moving this service to the center of the city would improve response times and provide certified ambulance services near the current fire station, near seniors and across the street from an elementary school.

Public input was requested by the posting of a Public Hearing Notice on the City’s Website on 11/9/2016; posted at the City Hall building on 11/10/2016; posted as part of the Council Agenda on 11/10/2016; and published in the Daily News Sun newspaper on 11/11/2016 and 11/12/2016. No input had been received prior to this meeting.

AMR Regional Director Mr. John Valentine reported Invision Health Care is the parent company of AMR; they are financially healthy and a publicly traded company. AMR provides on ground and air transfers as well as providing for physicians in emergency rooms around the country and mobile integration health. They are part of a new emerging health care field and he wants to be a partner with the City of El Mirage.

Fire Chief Jim Wise reported the discussions have been underway for quite some time and he is confident and excited to work closely with AMR. They have the Certificate of Necessity (CON) which provides the legal right to transfer patients to facilities outside this jurisdiction which covers both Maricopa and Pinal Counties. Chief Wise does not see a negative in this proposal and stated there is a good opportunity to form a very good partnership.

Dr. Isom stated this location is essential to him both as a resident and as the City Manager to ensure that an ambulatory care provider stays in El Mirage. They have stepped forward and provided excellent service. They are currently located in temporary quarters and the proposed space will be more permanent and in the middle of a medically underserved area.

Assistant Police Chief Laura Liuzzo reported the Police Department is very supportive of this proposed use. It will be beneficial to the residents of the area and right next door to the Fire Department.

Mayor Mook informed the audience that this meeting is a Public Hearing and requested input from anyone present.

El Mirage resident Laurie Carnal stated she believes this is the best idea the Council has ever had. She was in favor of a library at this location in the past but this proposed idea just seems to be a win/win.

El Mirage resident and President of the West Valley Neighborhoods Coalition Monica Dorcey stated this building has sat empty for too long and she is very much in support of this project. She believes it will anchor a very important service for the community and is a very sound idea.

Councilor Jones stated he supports the proposed use because it is in a perfect location for seniors and the school is very close. It makes sense to have the ambulance service in that location.

Councilor Selby asked if something had changed in the use requirements since there was previous consideration for converting this building to a library. He believed he was told that a variance was not possible and that the building had to continue to be used for fire department purposes. Dr. Isom clarified that he had never stated a variance could not be obtained and, in fact, advised that the possible use as a library had been researched. The challenge with converting to a library is that neither the County nor the City could justify the cost required to renovate and convert to that use.

Councilor Selby then asked who is responsible to bring the building up to code and whether it is currently up to code. Dr. Isom responded that the City has been maintaining the building and it is currently an annex fire station used for training and storage of trucks and supplies. Should this proposed use be approved by HUD and the City moves forward with AMR, they have agreed to make the improvements and take care of ongoing maintenance of the building. This agreement will not be an income source but rather bring the service to a critical area of the community. Dr. Isom also stated that as far as he is aware, the property is up to code.

Chief Jim Wise explained the code process and stated he believes it is up to current code; all utilities are on and the building is functional and in the same condition as when the crews moved out. Mr. Nilles also stated that AMR did an inspection and believes that there will be no problems.

Councilor Selby asked if any income would reduce the original grant funds in case the City wanted to purchase it in the future. Dr. Isom and Mr. Nilles both stated there would be no income but even if income could be generated, it would not be applied. Assistant Director of Housing and Community Development of Maricopa County Rachel Milne confirmed that any proceeds would actually be CDBG program income and would go back to a general income fund for HUD.

Councilor Palladino stated he believes the proposed use is an excellent idea as it is a perfect location and response times for emergencies will be reduced.

Councilor Shapera asked if this type of partnership is a new process for AMR and AMR representative Mr. Valentine answered it is not unusual to partner with a city, in fact, they currently have four in Gilbert, four in Chandler and two in Scottsdale. Councilor Shapera also asked what the renovation cost would be and was told by Mr. Valentine it would be approximately \$80,000 to ensure basic renovations. Councilor Shapera asked how many employees there were and if any will be added and he was advised by Mr. Valentine that there will be one unit with 10-12 people at any given time with the future possibility of increasing to add some non-emergency vehicles. Councilor Shapera asked if there was discussion regarding future growth of the new fire station and creating a city facility and was told there had been open discussion in case this proposal did not move forward.

Dr. Isom commented there is always a need to look to the future; one serious consideration in creating a City facility is the need to obtain a CON which is an arduous and lengthy process but

AMR has offered to assist with future development and acquisition of the CON if the City desires to obtain one in the future.

Councilor Shapera asked if AMR would also provide paramedic services and Mr. Valentine responded yes, and explained the four different types of services they provide in Arizona: (1) BLS ambulances inter facility; (2) BLS for 911 services; (3) BLS RN Service; and (4) air ambulances that come in and out of the area as needed.

Councilor Delgado stated he spoke to members of the El Mirage Elementary school, across the street from the facility, and representatives he spoke with expressed their desire for the building to become a library. He further stated he believed there was insufficient notice to the apartment building directly behind the fire station and to councilors as well. He also said he had been told by the Maricopa County Library district that the cost to renovate would be approximately \$200-\$250/square foot and wondered what happened to the discussion with the County.

Dr. Isom responded to Councilmember Delgado by stating the standard notice requirements were followed like any other public hearing and notice was give as soon as the County notified the City that a Public Hearing was required. He acknowledged that Councilor Delgado has advocated for a new library over the years but also stated there is the opportunity every two years during the Council's goal setting workshop to give such a project consideration; to his knowledge, a library has not been presented as a priority. Dr. Isom further stated that given the costs associated with funding a library renovation, the federal classification of the area as medically underserved, and the risk that AMR may choose to locate outside of the City, he believes a library in this location may not be the highest and best use of the property

Mayor Mook clarified that she had never advised Councilor Selby that he could not get a variance for a library because she does not know the County variance rules nor did she even realize the City could not charge for a lease or rent for those kinds of uses.

Vice Mayor Ramirez stated he believes the proposed use a better fit for this building and he remembers very clearly previous discussions regarding Maricopa County Library District requiring the City to pay for renovations and code compliance. He further stated there is very little renovation for the ambulance service use, and in fact, there is a savings to the City. He asked how much control the City has that the proposed tenant will be held accountable for repairs and maintenance and Dr. Isom answered that the draft agreement has those protections in it and AMR has negotiated with staff in good faith.

Mr. Nilles answered that AMR is very supportive and agreeable to bringing it up to a good standard that will provide a positive appearance from the street and be functional for them. They are going to be housing staff and equipment in the facility and want to make sure the building is up to code and in good condition; it is to their benefit, as well, to maintain the building properly.

Chief Wise explained Code requirements regarding the use of lights and sirens, stating that ambulances normally respond with a Code 2 which is no lights and sirens, unless there is an absolute critical need for their use.

Mayor Mook asked and Mr. Nilles confirmed that the current library is City owned and while Mr. Nilles did not have a specific dollar amount of renovations readily available, he confirmed there

have been significant improvements made over the years. Mayor Mook asked and Mr. Nilles advised that the current appraised value of the old fire station is approximately \$850,000. She stated the amount of money required to renovate for a library would be that much or more. Mr. Nilles advised that at the County's conservative figure of \$200/square foot, the minimum cost to renovate for a library would be \$1,000,000. Further, even after the cost of those renovations, the City would not own the building as it was originally funded by CDBG funds. Mayor Mook also commented that the use of the building for ambulance services better supported the former Fire Chief's statistics that 80-85% of all calls are medical; current Fire Chief Wise confirmed those statistics still hold.

City Attorney Robert Hall left the meeting via conference call at 6:57 pm.

Councilor Shapera asked what assurances exist that the City will not put funding into the building over the next 3 years and Dr. Isom reported AMR will meet the requirement the same as any other contract; he is comfortable AMR will uphold their commitment to make improvements. AMR representative Mr. Valentine supported Dr. Isom's assurance that no City funding will be needed.

Mr. Nilles commented that AMR has agreed to make the building relevant to their services and committed to putting \$80,000 into the building up front in lieu of rent; there is not revenue to the City but the City also does not own the building. By contrast, the building and improvements leased to Windy City Dogs is owned by the City and there is a revenue-sharing agreement; as their sales increase, the City benefits. Councilor Shapera requested projections of increased revenue from Windy City Dogs.

Vice Mayor Ramirez stated it does not make any sense to him that the City would spend \$1,000,000 on a building it does not own.

Councilor Delgado asked if the rental income will go to the General Fund and Mr. Nilles responded that there is no income; AMR will provide tenant improvements, pay for insurance, pay utilities, maintain the building and grounds, and make repairs and replace equipment as necessary in lieu of rent.

Dr. Isom stated his belief that it will be good for El Mirage residents to continue to receive ambulatory services from a location within the City.

Public Hearing closed at 7:10 pm.

- B. Consideration and action to approve Resolution R16-11-24 allowing the Police Chief, City Engineer, and Public Works Director to direct staff as necessary to address traffic calming procedures on collector streets that are at least $\frac{3}{4}$ of a mile in length and are not intersected by another collector street. (Administration)

Dr. Isom explained the need for this policy to provide staff with flexibility to address concerns, such as speeding, on collector streets as noted above, primarily addressing streets such as Acoma Drive, 127th Avenue and 129th Avenue. All cities grapple with how to control speeding and there are numerous options available such as re-striping, signs, speed bumps, and other more aggressive

methods. He would like to explore all those opportunities and have a policy in place that will defend the City from setting precedents.

Mayor Mook asked Dr. Isom to explain what has been done so far and Dr. Isom answered that Acoma Drive has been re-stripped to narrow the driving lane and some signage has been installed. Without this type of policy he is limited in what more he can do to address these types of concerns.

Councilor Shapera stated his belief that these types of changes should be agendized and brought to Council to allow residents to have a voice with Council. He acknowledged there are speeding concerns and that measures need to be taken but believes changes should be heard by Council. He further stated he believes that Police Officers should be issuing more citations for speeding and other infractions.

Dr. Isom stated his concern regarding all items coming before Council in the interest of expediency for preventing situations as they arise. He stated he is seeking a broad policy statement under current code that allows some protection from precedence. Councilor Shapera conceded that there are instances where action is immediately required and he does not consider striping and bike paths to be major, but something like speed bumps he believes is major and should be considered by Council. Dr. Isom stated major items would be brought before Council for consideration.

Vice Mayor Ramirez moved to approve Resolution R16-11-24 allowing the Police Chief, City engineer, and Public Works Director to direct staff as necessary to address traffic calming procedures on collector streets that are at least $\frac{3}{4}$ of a mile in length and are not intersected by another collector street; seconded by Councilor Jones. Motion carried unanimously (7/0).

IV. ADJOURNMENT

The meeting was adjourned at 7:26 pm.

Lana Mook, Mayor

ATTEST:

Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the El Mirage City Council Special Meeting held on Tuesday, November 15, 2016 and a quorum was present.

Sharon Antes, City Clerk

**WORK SESSION OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
5:00 PM – TUESDAY, DECEMBER 6, 2016**

Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilmember Roy Delgado, Councilmember Bob Jones, Councilmember Jack Palladino, Councilmember Lynn Selby, Councilmember David Shapera

II. CALL TO ORDER

The meeting was called to order at 5:04 pm.

Pledge of Allegiance

Moment of Silence

Silence Cell Phones & Pager

III. WORK SESSION

W1. Presentation of the City of El Mirage FY 2015/16 Annual Financial Report (Finance)

Assistant Finance Director Christy Eusebio introduced auditors from Heinfeld & Meech, Engagement Lead Officer Aaron Van Winkle, and Engagement Partner Mike Hoerig.

Mr. Hoerig explained that Heinfeld, Meech & Co. specialize in audits of governmental entities with offices in Tucson, Phoenix, and Flagstaff. Audits of various governmental entities in the State of Arizona include cities and towns, county governments, and special purpose governments and districts. They have been the City's auditors since 2006/07. With audit procedures complete the following reports were issued: Financial Statements (CAFR), Expenditure Limitation Report (ELR), and the report on internal control showing no significant deficiencies or material weaknesses. No single audit was required for fiscal 2016. A HURF compliance letter and the governance communication letter (audit summary) were issued. The City will submit its sixth CAFR in 2016. The CAFR recap includes the Introductory Section with the transmittal letter and the Financial Section includes the Independent Auditor's Report, Management's discussion and analysis (MD&A), basic financial statements, notes to financial statements and combining section. There is also a statistical section. He addressed annual changes in various City funds and explained the impact of changes to PSPRS (public safety pensions) reporting.

Audit procedures include planning meetings with management, staff, and Councilmembers; review of Council minutes; documentation of internal controls; and application of analytical procedures to include prior year comparison and trend

analysis; review of cash and investment reconciliations; vouch, confirm and/or analytics on most all revenues; sample and review of payroll and disbursement transactions; yearend check of payables and receivables; detail tests of capital assets and long-term debt; sample and review of procurements for City requirements.

Deputy City Manager/Finance Director Robert Nilles reviewed the City of El Mirage FY 2015/2016 Annual Financial Report. Definitions refer to how the City operates. There are three enterprise funds which are the Water, Sewer and Sanitation Funds. Everything else goes into governmental activities, such as administration, maintenance of City owned buildings, and maintenance of streets and parks, etc.

Vice Mayor Ramirez stated Council has control on revenues with respect to tax rates and levy but Council does not control mandated PSPRS liability. Mr. Nilles confirmed the City will see increases in PSPRS that are both planned and in accordance with a very recent court decision.

Councilor Jones gave a special thanks to Mr. Nilles, his staff and the City Manager for their work on the budget and presentation to Council.

Dr. Isom stated staff has done very well to organize the financial information for Council; a now well established plan is followed to provide consistency.

W2. Discussion regarding Addendum #4 of the YMCA Landlord/Tenant agreement (Administration)

Dr. Isom reported that Councilors Selby and Shapera had questions about this agenda item and he deferred Mr. Nilles' presentation until they expressed their concerns.

Councilor Shapera stated he has concerns about this contract addendum. He asked if the YMCA has ever lived up to the agreement the City has with them, have they paid rents on time, or have they made a good faith effort to increase membership. He stated he believed the YMCA has 3,700 members but with the neighboring cities of Surprise and Youngtown to draw from, the membership should be higher. He does not believe they are doing what they need to do regarding membership stating some people in Surprise do not even know a YMCA exists in El Mirage. The City of El Mirage has a population of 34,000 and yet only 1,500 are members. He also believes taxpayers are over-subsidizing this program; the City is paying bonds and now being asked to pay salaries and not charge more than \$1.00 a month rent. If the YMCA has not done what they said they would, why is the City rewarding them by paying more? He further asked if any other West Valley cities are subsidizing the YMCA the way El Mirage is being asked to do. Rents were supposed to go toward paying off the bond. One dollar a month is not enough. Councilor Shapera does not feel we should be rewarding the YMCA for not providing the level of service previously agreed upon. He does not believe it is in the best interest of the City to pay a salary of \$50,000 for a private entity. If the City needs to have a Recreation Director, have him work for the City, but if they are an employee of the YMCA, let the YMCA pay.

Councilor Selby asked who wrote the addendum and who is responsible for the deletions on the addendum. He stated that a good landlord with good business sense

requires a quarterly financial report, yet this document does not require any financial rewards be given to the City whatsoever. The Council needs to know what the YMCA is doing to make necessary changes. He is concerned about the \$50,000 salary for a non-profit business. Councilor Selby thinks the original contract is broken and renegotiation is in order.

Deputy City Manager/Finance Director Robert Nilles reported the first Addendum to the original 2012 contract was in 2013 which added resident discounts and rates and addressed signage. Addendum 2 in 2014, included City employees in the eligible group for resident discounts and rates, changed the base rent, addressed Landlord and Tenant FF&E and provided a legal description, site plan, commencement date, and tax exemption. Addendum 3 in 2015 permitted qualified Tenant staff to operate specific City vans/buses to transport children. The proposed Addendum 4 in 2016 will change the base rent, clarify joining fee reimbursements, change the City's address, and provide Executive Director assistance. Mr. Nilles explained in depth the rent change proposal.

Mr. Nilles further reported that City Council authorized a Landlord Tenant agreement with the YMCA in 2012 to operate a City owned facility to provide health and wellness services to the Northwest Valley and the City of El Mirage. The agreement authorized the City Manager as Landlord to amend the agreement. The City Manager has faithfully exercised the authority delegated to him by the Council to improve the functionality and operation of the facility. Council also unanimously approved revisions to the procurement code in June 2016. A previously approved resolution of the Council was codified permitting the City Manager to direct select and enter into professional services that were believed to be in the best interest of the City. Although not required by code, the City Manager has notified the Council when professional services in excess of \$30,000 were authorized. This practice was implemented by the City Manager to maximize transparency and openness.

The City and YMCA recently met about facility operations and the Director position. The YMCA acknowledged it had been trying to "cut" its way to profitability as this facility was a concern to their financial well-being. Both the City and the YMCA agreed cutting services meant fewer opportunities for residents. Profitability by expanding services, rather than cutting services, was agreed upon but the YMCA lacks resources to expand. They have operated and maintained the City's recreation facility with swimming pool at a loss since the facility opened. This loss is absorbed by the YMCA, not the City. Operating losses would be even greater if the City managed the facility. The City benefits by helping to stabilize the partnership between the City and the YMCA.

To attract a qualified Executive Director, the City proposed to contribute \$40K annually and another \$10K in the form of an incentive program. The incentive pay is available only after submitting proof of progress across the following three matrices: increase in youth sports programming, increase membership sales, and increase annual fundraising. The City's Human Resource Director helped the YMCA draft the position description and the Mayor and Deputy City Manager sat on the interview panel. The new Director arrived from Florida and began work last

week. The YMCA reports they have already seen positive change at the El Mirage Branch.

Mr. Nilles continued by stating the rationale behind the \$50K annual contribution is simple, “finance.” The City has saved millions in operation and maintenance costs since July 2014. If the YMCA leaves, the City would be faced with the decision to either operate and maintain the facility at a loss of \$500,000 to \$1,000,000 annually, or close the facility and all operations. The City would still be responsible for paying debt service on a closed facility.

YMCA services are provided to youth, teens, adults and seniors. For a facility that is open 87 hours a week, City responsibilities would include \$99K for the Recreation Administrator (which was the cost as of FY 11/12), \$57K for 2 full-time and 1 part-time receptionists, a gymnasium staff, fitness instructors, special class instructors, lifeguards, and day care/watch, plus 11 holiday closures per year. There is no way the City of El Mirage could afford to provide the level of program that is presented by the YMCA which is responsible for the Executive Director and receptionist pay at \$8.05/hr. with no benefits.

At least twice during public meetings, the \$100K per year rent was identified as something that should not be counted on. Rent revenue is not in the budget. Voters authorized the construction of a recreation facility with a pool. These types of public amenities/services are not expected to operate at a profit, similar to a City’s parks, senior center, library, police, fire, general operations, special events, courts, and streets, etc. Contracting with the YMCA has and will save the taxpayers millions of dollars.

Dr. Isom summarized why the City needs to partner with the YMCA. The \$100K is not something the City can reasonably expect as these types of facilities are always run at a loss. The previous YMCA leadership tried to cut their way out of deficit but it has not worked. The City wants the YMCA to be successful and he is very optimistic that this investment will see improvements and save taxpayers money. Councilor Delgado is the representative on the YMCA Board and can attest that the new Director appears to be very qualified who is very capable and bring new and fresh ideas. It is a no-brainer to pay \$40K with a \$10 incentive compared to looking at nearly a \$1M loss. This is a good business decision and will save taxpayer dollars.

Councilor Shapera stated all his questions were answered but feels the YMCA let the ball drop. He would like a little more data in six months. Mr. Nilles reported they are to meet regularly with the new management.

Dr. Isom commented the YMCA is a non-profit and he wants to continue to develop the relationship. He and Mr. Nilles will be sitting down with the YMCA Finance Department regarding the incentive program. There will be \$10,000 available after increases in membership, extension of youth programming and increased fundraising is demonstrated. Dr. Isom is working on developing this partnership with the new management.

Councilor Selby stated his questions were also answered but he still wants to see reports regarding revenues and expenses. He asked how much the YMCA Corp. put into this YMCA and Mr. Nilles reported budget for operations is about \$1.4M. Their loss was \$250K plus and that was with the corporate giving from the central location. He talked about projections to get to profitability and meet three identified goals. He then explained this new model may work at other YMCAs as well and provides for expansion and not cutting.

Dr. Isom is a little concerned about requiring specific reports in the Addendum stating the City has a Councilmember on the YMCA Board with access to reports and to help mutually benefit and nurture the partnership. Mr. Nilles reported the YMCA is as anxious to make this relationship successful as is the City.

Councilor Selby stated he, too, wants to see the YMCA be successful because he voted for this program. He doesn't want to be back next year discussing the same kind of give-away currently being discussed. Without reports, the Council won't know if they are doing what they said they were going to do.

Dr. Isom showed a slide regarding what they are doing now. He reported they are, in fact, doing what they said they would do, just not to the level desired. There are ongoing conversations between the YMCA and the City to insure success.

Mayor Mook summarized by saying the entire Council wants the YMCA to be successful. The bottom line is this facility is the second lowest rated in the system for donations and the City needs to help them become more self-sufficient. She reported that she is aware of some large businesses in Surprise being asked not to support the YMCA because the City of Surprise is wanting to have a Boys and Girls Club or some other similar facility. El Mirage needs to have someone on Board who knows how to generate donations; the City has been innovative in the past and this gives another opportunity to "make it happen."

Councilor Delgado stated he spoke to the new director about shortfalls of the previous manager and told the new director, Aaron, that he will help open doors for the new manager to make positive contacts. He believes Aaron will follow through with recommendations.

Councilor Jones reminded everyone that 501 organizations were not in existence in the past. He has served both in the public and private sector and while on the Board of the Dysart Community Center has seen struggles since the financial crash with donations dropping off by 75%. The City needs the YMCA as part of this community. He stated the City needs to support the YMCA and is optimistic for positive change with the new direction at the top.

Councilor Palladino stated the City Manager and staff answered his questions and this is best for the City as the City cannot afford to operate the facility.

IV. ADJOURNMENT

Work Session adjourned at 6:35 p.m.

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
FOLLOWING WORK SESSION – TUESDAY, DECEMBER 6, 2016**

Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilmember Roy Delgado, Councilmember Bob Jones, Councilmember Jack Palladino, Councilmember Lynn Selby, Councilmember David Shapera

II. CALL TO ORDER

The meeting was called to order at 6:49 pm.

Pledge of Allegiance

Moment of Silence

Silence Cell Phones & Pager

III. CALL TO THE PUBLIC

Citizens desiring to speak on a matter that IS NOT on this agenda may do so at this time. Comments shall be limited to three (3) minutes per person and shall be addressed to the City Council as a whole. At the conclusion of the Call to the Public, individual City Council Members may (1) respond to criticism made by those who the matter be put on a future agenda.

Resident Pablo Ante spoke on behalf of the problems being encountered by the Pueblo Futuro HOA developed by Habitat for Humanity. He stated all the board members have resigned and they requested the City's help because they don't know who to go to or what to do at this point stating they do not have much money in their account. When asked by Mayor Mook how much money they had Mr. Ante stated they have approximately \$14K in the bank. They have sent letters to the Arizona Corporation Commission but they have not yet received a response.

Resident Heloise Ruiz, reported she agrees with everything Mr. Ante said adding that the difficulties have been hard on the residents. After the current Board President resigned all the other board members also resigned and she wants to make sure that somebody else can take over.

Mayor Mook spoke to the HOA members present by reading the following statement: "The City does not control the creation and/or operation of an HOA. In this case, the HOA is a requirement of Habitat for Humanity and the Lender. An HOA is a private entity. It operates separate and apart from the municipality. Your lender expected an HOA to be created and operated by the homeowners as part of your ownership and identified in your CC&Rs. The City cannot take over the HOA since the borrowers (you homeowners) have the obligation to have an HOA."

Mayor Mook then asked Attorney Robert Hall to comment and he stated the problem is clear and while an HOA problem, he will reach out to the legal community to see if there is a solution with possibly a volunteer or two. There are several different solutions available and he will check to see if there are a couple of attorneys to address this problem.

Resident Barry Knight addressed the Council about his concerns over the chickens his neighbor has stating he believed that even though legal to have chickens in the City, he also believes there are codes to address excessive noise and control health issues. He stated his neighbor is raising a large number of chickens, now has roosters and exposed grain also draws disease carrying pigeons who sit on top of his house in large quantities. He stated the City is beautiful and he wants to keep it that way. Mayor Mook took down his phone number and advised that someone from the City would contact him to address and correct this problem.

IV. CONSENT AGENDA

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

1. Consideration and action approving the minutes of the Regular Council Meeting held Monday, November 1, 2016. (City Clerk)
2. Consideration and action to approve the destruction of Personnel Records that have reached the end of their retention period as authorized under ARS §41-151.19. (Human Resources)
3. Consideration and action to approve the destruction of municipal construction documents that have reached the end of their retention period as authorized under A.R.S. §41-151.19. (Development & Community Services)
4. Consideration and action to approve the destruction of municipal financial documents that have reached the end of their retention period as authorized under A.R.S. §41-151.19. (Finance)
5. Consideration and action to approve the Annual Financial Report as an official record of the City of El Mirage. (Finance)
6. Consideration and action to approve Ordinance O16-12-12 adopting Codification Supplement Six (S6) to the Code of Ordinances for the City of El Mirage, Arizona and declaring an emergency. (Clerk)
7. Consideration and action to approve Resolution R16-12-26 prescribing amended standards of Financial Disclosure for Local Elected Officials pursuant to A.R.S. §38-545. (City Clerk)

Vice Mayor Ramirez moved to approve all items listed on the Consent Agenda as presented; seconded by Councilor Palladino. Motion carried unanimously (7/0).

V. REGULAR AGENDA

- A.** Swearing In and Seating of three Councilmembers elected at the 2016 Primary Election for the term December 2016 – December 2020. (Clerk)

City Clerk Sharon Antes administered the Oath of Office to incumbent and re-elected Councilors Roy Delgado, Lynn Selby and David Shapera.

- B.** Consideration and action to appoint the Vice Mayor pursuant to El Mirage City Code §32.041 – Vice Mayor following the 2016 General Election. (Council)

Mayor Mook nominated Joe Ramirez as the Vice Mayor.

Mayor Mook moved to approve the appointment of Joe Ramirez as Vice Mayor pursuant to El Mirage City Code §32.041; seconded by Councilor Palladino. Motion carried unanimously (7/0).

- C.** Consideration and action to approve Resolution R16-12-25 approving the form and authorizing the execution and delivery of loan agreement amendments for loan Nos. 920100-06, 920127-08, 910154-13 and 920227-13 with the Water Infrastructure Finance Authority of Arizona (WIFA) from its revolving fund programs and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by such amendments and this Resolution. (Finance)

Deputy City Manager/Finance Director Robert Nilles introduced Greg Schwartz from Piper Jaffray.

Mr. Schwartz reported that the water and wastewater systems are now self-sufficient enterprises which prior to 2005 were subsidized by excise taxes. The systems are currently supported by combined user fees and charges and El Mirage's average cost for 5,000 gallons of water used is lower than the statewide monthly median and slightly higher than the municipal monthly average. He stated that \$50.8M was spent on system improvements on water lines, sources and treatment as well as wastewater lines, pumps, and treatment. The source of the funds was WIFA grants for \$1.1M, WIFA loans for \$26.8M (including refinancing of market debt), and system revenues of \$22.9M.

He then gave the history of the Water Infrastructure Finance Authority (WIFA) which as of 2016 is now known as the Arizona Finance Authority (AFA). The City's proposal to WIFA for July and August 2016 was to take advantage of low market rates and to refinance WIFA loans. WIFA had some concerns about their bonds and a counter proposal recommended waiving reserve requirements, prepaying five loans and partially prepaying one loan, using the \$3.2M of existing reserves for

prepayments which would represent a savings of \$509,065. In September the City countered with a compromise, however, AFA strongly encouraged El Mirage to accept the original WIFA counter-proposal and avoid AFA possibly tabling any action. Council Resolution R16-12-25 authorizes staff to amend WIFA loans, waive reserve requirements and pay four of nine loans.

Councilor Jones asked what the balance would be after paying some of the obligations and was advised by Mr. Schwartz that the balance would be slightly less than \$12M. He also inquired about the current interest rate and Mr. Schwartz stated it varies from loan to loan but the average is about 2.2%.

Councilor Delgado asked if this action would help delay the need for a Red Oak Study regarding raising water rates and Mr. Nilles replied the study may need to occur as planned but there would be a direct savings of \$325K which will help with the outcome of the study. Rates may not need to be raised as soon as expected or by as much with the action of this resolution.

Vice Mayor Ramirez moved to approve Resolution R16-12-25 approving the form and authorizing the execution and delivery of loan agreement amendments for loan Nos. 920100-06, 920127-08, 910154-13 and 920227-13 with the Water Infrastructure Finance Authority of Arizona (WIFA) from its revolving fund programs and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by such amendments and this Resolution; seconded by Councilor Jones. Motion carried unanimously (7/0).

- D.** Public Hearing, closure of public hearing, followed by consideration and action to approve Resolution R16-12-27 authorizing the City to submit two grant applications to Maricopa County Community Development Division for FY 2017/18 Community Development Block Grant funds, and to execute subsequent award agreements for the full reconstruction of “A” Street and funding support for a replacement Fire Pumper Truck. (Administration)

Grants Writer Janeen Gaskins presented the CDBG funding request for El Mirage FY 2017-18. The County Community Development Advisory Committee (CDAC) approved application guidelines in October with public services distributed to the County this year. A public hearing is required and grants are due December 8, 2016. The earliest funding release will be in July 2017. This grant request follows the City’s grant policy for a request for two projects for approximately \$810,000.

Ms. Gaskins addressed the priority one project as the “A” Street Improvements which is in poor condition between Thunderbird Road and Myer Lane and will include 2,000 linear feet of pavement reconstruction. Curb, gutter and ADA ramps will be installed and necessary sidewalks will be removed and replaced. It is a City priority to address Council goals, CIP and street maintenance schedules. The City is seeking \$608,928 in CDBG funds with a \$40,000 match including in-kind staff design. This will improve safety for residents and save on maintenance and repairs.

Priority two is replacement of a fire department pumper truck. The current truck has reached useful life expectancy and is approaching 150,000 miles with more than 15 years of service. A new 1500 GPM Pumper would have a 500 gallon capacity with updated technology and equipment. Safety features would secure equipment and be in compliance with new NFPA standards. The City is seeking \$200,000 in CDBG funds with \$400,000 leverage from General Funds. This vehicle would improve safety for El Mirage with less down time for repairs, enable the department to respond to critical infrastructure and be a positive impact on the Automatic Aid, and be operationally compliant.

Mayor Mook opened the public hearing. No public comments were received and Mayor Mook closed the public hearing.

Vice Mayor Ramirez moved to approve Resolution No. R16-12-27 authorizing the City to submit two grant applications to Maricopa County Community Development Division for FY 2017/18 Community Development Block Grant funds, and to execute subsequent award agreements for the full reconstruction of “A” Street and funding support for a replacement Fire Pumper Truck; seconded by Councilor Delgado. Motion carried unanimously (7/0).

- E.** Consideration and action to authorize the City Manager to utilize local and regional agency contracts with Holbrook Asphalt, Sunland Asphalt, and Via Sun Corp. to perform pavement work as part of the FY 17 maintenance program. (Public Works)

Management Administrator Nick Russo presented background for this request. The Mayor and Council identified a citywide pavement improvement program as a need in 2011. The Public Works Department developed a 30-year pavement maintenance program which was implemented in March 2012 and is currently in fiscal year six of the plan. The goals are to extend the life of the City streets with the main goal to preserve the pavement and prevent future deterioration. The worst streets are not always the highest priority. This project would enhance safety, quality, and community appearance, be cost efficient and reflect the Council’s priorities.

Mr. Russo explained the districts consist of 24 maintenance districts plus major streets. Neighborhoods and logistics are considered. The districts help develop a balanced budget from year to year. Year six milestones include arterial and collector street maintenance, crack sealing and striping updates with a schedule of doing the crack seal during January and February. Surface treatments would be done March, April and May. Types of treatments include surface treatment with PMM (Polymer Modified Microseal), Nova Bond, Liquid Road and TRMSS (Tire Rubber Modified Surface Seal) and crack sealing striping. Mr. Russo reviewed the locations and treatments necessary.

Staff is requesting approval to proceed with contract utilization for three contractors: Holbrook Asphalt (City of El Mirage, City of Mesa) for \$89,129.70; Sunland Asphalt (City of Buckeye) for \$671,690.08; and Via Sun Corp. (Pinal County) for \$97,691.47.

Mayor Mook asked if the pavement program in residential areas is working and Mr. Russo reported it is better than expected. Mayor Mook asked if other cities have followed our lead and Mr. Russo replied that the Town of Maricopa has piggybacked off our contract for HA5.

Councilor Jones stated the City experimented with the crack sealing and asked if the same was planned for 2017; Mr. Russo replied yes because it was so successful.

Councilor Shapera asked what should be expected regarding the cracks and Mr. Russo said cracks should be expected but the cycle for major repairs can be delayed. Councilor Shapera stated there are two very large cracks on 129th Avenue and Parque de Sol and Mr. Russo explained that a different process would be needed and they would be considering the master crack filler or cut joints on either side of the crack and then fill in with actual asphalt.

Councilor Delgado asked if the cracks were first blown out and was informed by Mr. Russo that the larger ones are blown out but if they are an inch or smaller they are just filled.

Vice Mayor Ramierz stated asphalt is unpredictable but the City's system is doing a great job by maintaining and keeping the roads usable a lot longer than others.

Vice Mayor Ramirez moved to authorize the City Manager to utilize local and regional agency contracts with Holbrook Asphalt, Sunland Asphalt, and Via Sun Corp. to perform pavement work as part of the FY 17 maintenance program; seconded by Councilor Delgado. Motion carried unanimously (7/0) .

VI. CITY MANAGER SUMMARY OF CURRENT EVENTS

The City Council may not act upon any matter in the City Manager's summary but may have general comment or questions. Items to be discussed will include, but not be limited to, the following:

Dr. Isom commended Mr. Nilles and his staff for their preparation of the budget and audit report.

Dr. Isom reported that through a routine system audit, there are approximately 30 water accounts identified as incorrectly billed; a couple of the identified accounts belonged to the City. The identified meters read the consumption correctly but the register did not send the correct number of digits resulting in an under billing and residents received water not yet paid for. Letters will be going out to the affected customers this month to correct the issue. Any complaints should be referred to Deputy City Manager/Public Works Director Jim Shano.

1. New Employees – Court, Fire, Finance, Public Works

Director of Court Services Rod Wettlin introduced Maria Reyes, the new Judicial Assistant/Court Interpreter to insure that the Hispanic community is well represented on civil and criminal traffic cases. Maria Reyes stated she is happy to be here and happy to assist the community with the language barrier. Mr. Wettlin also introduced Cynthia Urzua-Acosta, the new Judicial Assistant who will be taking her Spanish test as well and will be working at the front window. Cynthia Urzua-Acosta stated she is pleased to join the City of El Mirage.

Fire Chief Jim Wise welcomed new Firefighters and introduced Captain Darryl Turpak who will be representing the department as a training officer. Firefighter Seth Proch, a Glendale native, is married with two kids and has been a Cadet with the City of El Mirage for a while. He says he is happy to be in the City of El Mirage. Firefighter Sheila Paine is married, the mother of four and working on her Associates degree. She is glad for the opportunity and looks forward to serving the community. Firefighter/Paramedic Chris Tomaselli has been in the Valley for nine years. He is married with three children and is very excited to be here. A friend of his who is an El Mirage Firefighter brought him here and he is very happy. Firefighter Corey Lydell, an Arizona native, has an extensive background in private industry security. He graduated from the Fire Academy in 2013 and is proud to be in the City of El Mirage and to have the opportunity to give back.

Deputy City Manager/Public Works Director James Shano introduced Scott Ketchmark as a Utilities Supervisor for Water and Sam Kawuki as Maintenance Worker I. He is excited to have two such qualified people to join his team. Mr. Ketchmark has 28 years' experience in water production, water treatment distribution, and wastewater collection. He has two adult children in the Phoenix area and his hobbies include sports, archery, hiking, camping and drag racing. Mr. Ketchmark thanked everyone for the opportunity and he looks forward to working with the utility team and to continue to operate with great customer service and exceptional quality water. Mr. Sam Kawuki was born in Uganda, Africa. He speaks five different languages and was a tour guide in national parks taking tourists out in trucks to see the wild animals who roam the African land. He has been in the United States for 11 years, is married and has four kids. He came to us from a local landscape contractor specializing in irrigation. Mr. Kawuki lives in El Mirage and is excited to be working here. Mr. Kawuki stated he is looking forward to serving the City of El Mirage.

2. Police Explorers – Report on Competition in Marana

Police Sgt. Chris Culp reported between October 7th and 9th, ten members of El Mirage Police Explorer Post #2780 attended the 4th annual 2016 Southern Arizona Law Enforcement Explorer Competition in Marana, Arizona. The U.S. Border Patrol Explorer Post (Tucson Sector) and Marana Police Explorer Post hosted the weekend-long event which was held at the Marana High School. The El Mirage explorers competed in the following scenarios: crime scene investigation, crisis negotiation, active shooter, tubular assault, traffic stop, tracking operations, officer down, Tactical Emergency Medical Service (TEMS), white collar crime, use of

force, report writing, court room testimony, aptitude test, and physical fitness courses.

On October 9th, the awards ceremony was held and the Police Department is proud to report that City of El Mirage Explorers placed 2nd in Tubular Assault and 1st in male obstacle course. The competition had 14 explorer posts from Arizona, Texas, and California, with approximately 200 explorers and 50 advisors representing their perspective agencies, cities, counties and state.

The El Mirage Police Explorers continue to expand their knowledge and skills with their rigorous training provided by officers and advisors with the El Mirage Police Department. Throughout these competitions, the explorers have placed in various scenarios over the past three years and are constantly networking with other law enforcement explorer posts to enhance their training and teamwork skills.

The El Mirage Explorer Post 2780 extend their appreciation to the continued support of the El Mirage Police Department command staff, City Manager Dr. Isom, Mayor Mook, the city Council and Mr. Jimmy Farley from Coco's Towing.

Explorer Battalion Chief Rodriguez thanked everyone for allowing the program to continue. Two years ago, he did not know what he was expecting and today he finds that he has a lot of confidence and skills to guide him through high school and other events that need leadership.

Explorer Lieutenant Hailey Wheat thanked everyone for their support and encouragement with the Post which has helped Explorers attain their goals. She has had a great year with the Post and sees what the community needs and what the Explorer Post can do to help encourage others to become positive leaders.

Police Chief Terry McDonald pointed out a short time ago this program was just an idea and he congratulated Sgt. Culp for his excellent leadership. He has given a great deal of himself and it really shows.

3. Special Event – Christmas Tree Lighting 12/9/16

Public Relations Manager Amber Wakeman invited everyone to the El Mirage Christmas Tree Lighting Celebration on Friday, December 9th from 5:00-9:00 PM at Gentry Park. There will be free Santa photos, free giant Kid's Zone, 2 tons of real snow, free arts and crafts, music, food and vendors and free admission. She expressed thanks to Coco's Towing, Renewal by Anderson, APS, Parks & Sons and Walmart who sponsored the event.

VII. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS

The Mayor and City Council may not discuss or act upon any matter in the summary unless the specific matter is properly noticed for legal action.

There were no comments.

VIII. ADJOURNMENT

The meeting was adjourned at 8:01 pm.

Lana Mook, Mayor

ATTEST:


Sharon Antes, City Clerk

I hereby certify the aforementioned minutes as a true and accurate record of the Work Session and Regular Council Meeting held on Tuesday, December 6, 2016 and a quorum was present.

Sharon Antes, City Clerk

REQUEST FOR COUNCIL ACTION

| | | |
|--|---|---|
| DATE SUBMITTED: <u>12/27/2016</u> | TYPE OF ACTION: ___ RESOLUTION # _____ ___ ORDINANCE # _____ <u>X</u> OTHER: Records Destruction | SUBJECT: Consideration and action to approve the destruction of municipal documents that have reached the end of their retention period as authorized under A.R.S. §41-151.19. |
| DATE ACTION REQUESTED: <u>01/03/2017</u> | | |
| ___ REGULAR <u>X</u> CONSENT | | |

| |
|---|
| TO: Mayor and Council |
| FROM: Sharon Antes, City Clerk  |
| RECOMMENDATION: Approve the destruction of municipal documents as authorized under A.R.S. §41-151.19. |
| PROPOSED MOTION: I move to approve the destruction of municipal documents as presented. |
| ATTACHMENTS: Certificate of Records Destruction |

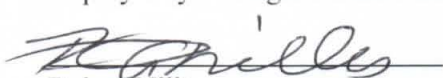
DISCUSSION: The State of Arizona and the City of El Mirage have determined retention schedules for public records and destruction of those records not meant to be kept indefinitely. Orderly destruction of public records pursuant to the laws of the State of Arizona and the City of El Mirage will provide more space for permanent records in the Clerk's Office and keep the City compliant with state law.

FISCAL IMPACT: \$35.00 (estimated)

DEPARTMENT LINE ITEM ACCOUNT: 10-490-313

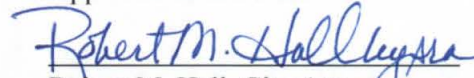
BALANCE IN LINE ITEM IF APPROVED: \$650.00

Deputy City Manager/Finance Director:


Robert Nilles

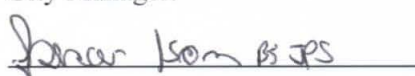
12/29/16
Date

Approved as to Form:


Robert M. Hall, City Attorney

12/29/16
Date

City Manager:


Dr. Spencer A. Isom

12/29/16
Date



ARIZONA STATE
LIBRARY, ARCHIVES AND PUBLIC RECORDS
A DIVISION OF THE ARIZONA SECRETARY OF STATE
Joan Clark, State Librarian & Director



ARCHIVES AND RECORDS MANAGEMENT

Page 1 of 2

CERTIFICATE OF RECORDS DESTRUCTION

As authorized under ARS §41-151.19, ...A report of records destruction that includes a list of all records disposed of shall be filed at least annually with the state library on a form prescribed by the state library.

Failure to comply with these procedures is a violation of ARS §41-151.19.

Public Body City of El Mirage **Division** _____ **City Clerk** _____

Department Administration **Office/Unit** _____

| Record Series Title as Stated on Approved Schedule | Schedule Number or Date | Item # | Records Start Date | Records End Date | Format: Paper, Digital, Microfilm | # of Files, Boxes, Reels; Electronic File Size |
|---|----------------------------|--------|-----------------------|---------------------|---|--|
| Maricopa Co. Police Vehicle Maintenance Repair | GS-1018 | 10463 | 10.4.2006 | 10.3.2010 | Paper | 1 File |
| Tree Pros, LLC JOC Tree Maintenance Svcs. | GS-1018 | 10463 | 10.8.2009 | 10.8.2010 | Paper | 1 File |
| Unsuccessful Bids – Sludge Hauling/Disposal Svcs. WWTF | 000-11-54 | 2 | 10.8.2013 | 10.8.2013 | Paper | 1 File |
| Commercial Vehicle Enforcement Program | GS-1018 | 10463 | 8.22.2005 | 10.31.2006 | Paper | 1 File |
| Policy Development Group, Inc./Public Affairs | GS-1018 | 10463 | 3.1.2009 | 8.9.2010 | Paper | 1 File |
| Policy Impact Communications, Inc./Political Consultant | GS-1018 | 10463 | 9.1.2009 | 8.31.2010 | Paper | 1 File |
| Transunion Credit Reports for Police | GS-1018 | 10463 | 6.3.2005 | 7.1.2010 | Paper | 1 File |
| E-Money Systems/Electronic Bill Pay | GS-1018 | 10463 | 12.8.2005 | 12.7.2010 | Paper | 1 File |
| GOHS DUI Task Force IGA | GS-1018 | 10463 | 11.17.2005 | 9.30.2006 | Paper | 1 File |
| AZ GOHS Out-of-state travel funds GOHS 2996 0A1-004 | GS-1018 | 10463 | 7.10.2006 | 7.21.2006 | Paper | 1 File |
| Orkin Pest Control | GS-1018 | 10463 | 8.30.2006 | 8.31.2010 | Paper | 1 File |

| | | |
|--|--|--------------------------------|
| Name (type or print): Sharon Antes | Title: Records Officer or Designee (type or print): City Clerk | Phone : 623-876-2943 |
| Signature: | E-Mail: santes@elmirageaz.gov | Date: 03-Jan-17 |

RECORDS MANAGEMENT CENTER

1919 West Jefferson Street • Phoenix, Arizona 85009 • Home Page: <http://www.azlibrary.gov/records>

Phone: (602) 926-3815 • FAX: (602) 256-2838 • E-Mail: records@azlibrary.gov



ARIZONA STATE
LIBRARY, ARCHIVES AND PUBLIC RECORDS
A DIVISION OF THE ARIZONA SECRETARY OF STATE
Joan Clark, State Librarian & Director



ARCHIVES AND RECORDS MANAGEMENT

Page 2 of 2

CERTIFICATE OF RECORDS DESTRUCTION

As authorized under ARS §41-151.19, ...A report of records destruction that includes a list of all records disposed of shall be filed at least annually with the state library on a form prescribed by the state library.

Failure to comply with these procedures is a violation of ARS §41-151.19.

Public Body City of El Mirage **Division** _____ **City Clerk** _____

Department Administration **Office/Unit** _____

| Record Series Title as Stated on Approved Schedule | Schedule Number or Date | Item # | Records Start Date | Records End Date | Format: Paper, Digital, Microfilm | # of Files, Boxes, Reels; Electronic File Size |
|--|----------------------------|--------|-----------------------|---------------------|---|--|
| Referendum Petition – Hernandez – Not referrable | 000-12-65 | 15c. | 11.16.2004 | 11.18.2004 | Paper | 1 File |
| Unsuccessful Bid Documents – Old Fire Station | 000-11-54 | 2 | 9.30.1997 | 9.30.1997 | Paper | 12 Files |
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|--|--|--------------------------------|
| Name (type or print): Sharon Antes | Title: Records Officer or Designee (type or print): City Clerk | Phone : 623-876-2943 |
| Signature: | E-Mail: santes@elmirageaz.gov | Date: 03-Jan-17 |


RECORDS MANAGEMENT CENTER

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Phone: (602) 926-3815 • FAX: (602) 256-2838 • E-Mail: records@azlibrary.gov

REQUEST FOR COUNCIL ACTION

| | | |
|--|---|---|
| DATE SUBMITTED: <u>12/23/2016</u> | TYPE OF ACTION: ___ RESOLUTION # _____ ___ ORDINANCE # _____ <u>X</u> OTHER: Bid Rejection | SUBJECT: Consideration and action to reject the bids received for the Community Garden Relocation and Improvements, Solicitation Number: EM16-PK01 and authorize the City Manager to procure quotes from Job Order Contract (JOC) contractors. |
| DATE ACTION REQUESTED: <u>01/03/2017</u> | | |
| ___ REGULAR <u>X</u> CONSENT | | |

| |
|---|
| TO: Mayor and Council |
| FROM: Jorge Gastelum, P.E., Director of Development and Community Services/City Engineer  |
| RECOMMENDATION: Reject all bids received and authorize the City Manager to procure individual quotes. |
| PROPOSED MOTION: I move to reject all bids received and authorize the City Manager to procure individual quotes as presented. |
| ATTACHMENTS: Bid Tabulation, affidavit of publication. |

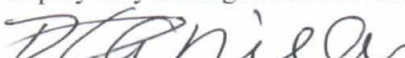
DISCUSSION: The City desires to relocate the Community Garden from its current location to the southwest corner of El Mirage Road and Ventura Street. Invitation to bid the project was published and bids were received on November 30, 2016. Two bids were received with the lowest bid amount well above the project budget. Staff is requesting to reject the two bids received from AJP Electric and G&G Specialty Contractors. Staff will request independent quotes from grading and landscaping JOC Contractors to minimize the markup from prime contractors.

FISCAL IMPACT: None

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Deputy City Manager/Finance Director:

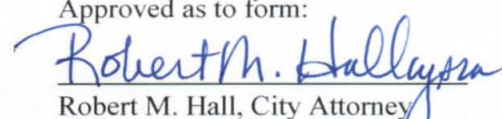


Robert Nilles

12/29/16

Date

Approved as to form:

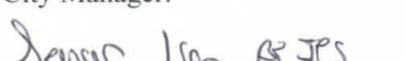


Robert M. Hall, City Attorney

12/29/16

Date

City Manager:



Dr. Spencer A. Isom

12/29/16

Date

CITY OF EL MIRAGE

BID DOCUMENTATION

BID REQUEST: Community Garden Relocation & Improvements - EM16-PK01

OPENING DATE: November 30, 2016 **TIME:** 1:00 pm **PLACE:** Grand Conference Room

| | | | | |
|------------------|-----|---|--------------|------------------|
| PER SPECS | (A) | Notice of Invitation to Bid (Signed) (Pg. 2) | Yes <u>✓</u> | No <u> </u> |
| REQUIRED: | (B) | Questionnaire (Pg. 26 & 27) | Yes <u>✓</u> | No <u> </u> |
| | (C) | Bid Bond (Pg. 28) | Yes <u>✓</u> | No <u> </u> |
| | (D) | List of Subcontractors (Pg. 29) | Yes <u>✓</u> | No <u> </u> |
| | (E) | Bid Schedule (Pg. 34-38) | Yes <u>✓</u> | No <u> </u> |

VENDOR: ATF Electric Inc.

ADDRESS: 11250 N. Cave Creek Road Phoenix 85020

TELEPHONE: () _____ **FAX:** () _____

E-MAIL: _____

BID AMOUNT:

TOTAL BASE BID \$ 154,736.45

TOTAL ALTERNATE BID \$_____

ACKNOWLEDGMENT OF RECEIPT:

Sharon Lutes
City Clerk

Edith W. Hoover
Witness

CITY OF EL MIRAGE
BID DOCUMENTATION

BID REQUEST: Community Garden Relocation & Improvements - EM16-PK01

OPENING DATE: November 30, 2016 **TIME:** 1:00 pm **PLACE:** Grand Conference Room

| | | | | |
|------------------|-----|---|---|-----------------------------|
| PER SPECS | (A) | Notice of Invitation to Bid (Signed) (Pg. 2) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| REQUIRED: | (B) | Questionnaire (Pg. 26 & 27) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| | (C) | Bid Bond (Pg. 28) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| | (D) | List of Subcontractors (Pg. 29) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| | (E) | Bid Schedule (Pg. 34-38) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

VENDOR: G & G. Specialty Contractors Inc

ADDRESS: 1221 N. Monroel Dr. Gilbert, AZ 85233

TELEPHONE: () _____ **FAX:** () _____

E-MAIL: _____

BID AMOUNT:

TOTAL BASE BID \$ 247,847.00

TOTAL ALTERNATE BID \$ _____

ACKNOWLEDGMENT OF RECEIPT:

Sharon Antes
City Clerk

Edith W. Hoover
Witness

Daily News-Sun

17220 N. Boswell Blvd., Sun City, AZ 85373
623.445.2700 Fax 623.445-2720

Affidavit of Publication

I, Delarita Ford, Legal Advertising Specialist, am authorized by the publisher as agent to make this affidavit of publication. Under oath, I state that the following is true and correct.

The *Daily News-Sun*, which is a newspaper published daily, is of general circulation and is in compliance with the Arizona Revised Statutes 10-140.34 & 39-201.A & B. I solemnly swear that the notice, as per copy attached, was published in the regular and entire section of the said newspaper and not in any supplement. The below listed advertisement appeared in the following issue (s):

DATES OF PUBLICATION:

- 1) October 27, 2016
- 2) October 28, 2016
- 3) November 4, 2016
- 4) November 5, 2016



Legal Advertising Specialist

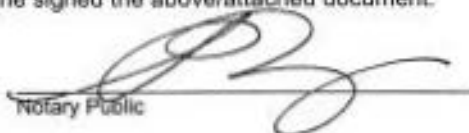
State of Arizona

County of Maricopa

On this 11th day of November, 2016, before me personally appeared Delarita Ford (name of signer), whose identity was proven to me on the basis of satisfactory evidence to the person whose name is subscribed to this document and who acknowledged that he/she signed the above/attached document.



SANDRA D PERRY
NOTARY PUBLIC, ARIZONA
MARICOPA COUNTY
My Commission Expires
August 22, 2020


Notary Public

Ad caption: **CITY OF ELMIRAGE PROJ# EM16-PK01**

AD# 149132

\$240.00

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

NOTICE OF PUBLIC SALE

Transport Funding, LLC, Overland Park, Kansas will offer the following property at public sale at Arrow Truck Sales, Inc. 2201 W. Buckeye Road, Phoenix, AZ 85009 on 11/17/16 commencing at 10:00a.m.

**2010 Peterbilt 386
1XPMD49XXAD113686**

The property may be inspected by appointment prior to the sale. Inquiries: 602-256-7643. Cash sales only.

Publish: Daily News-Sun
November 5, 2016 / 150051

NOTICE IS HEREBY GIVEN THAT BARBARA J. MCGRATH HAS BEEN APPOINTED TRUSTEE TO THE ESTATE OF KATHLEEN D. HANSEN DECEASED, LATE OF SUN CITY, AZ WHO DIED OCTOBER 2, 2016. TAKE NOTICE that all persons having claims upon the estate of the above named must file with the undersigned Estate Trustee by the December 12, 2016 a full statement of their claims and of securities held by them or the claims will be forever barred. Claims must be presented by delivering or mailing a written statement of the claim to the Trustee at: BARBARA J. MCGRATH, trustee, 109 Kristine St., Oswego, IL 60543.

DATED this 19th day of October, 2016.

Publish: Daily News-Sun
October 29, 2016; November 5, 12, 2016;
147732

CITY OF EL MIRAGE

NOTICE OF INVITATION FOR BIDS

COMMUNITY GARDEN RELOCATION & IMPROVEMENTS

**CITY OF EL MIRAGE
PROJECT NO.
EM16-PK01**

This project will consist of the relocation of the existing community garden from the SEC of El Mirage Road & Thunderbird Road to the SWC of El Mirage Road & Ventura Street. The work includes preparing the new location and constructing a new garden area using both existing and proposed amenities.

No earlier than Thursday, October 27, 2016, copies of the Invitation for Bid (IFB) packets may be obtained by downloading the packet from the City's website, www.cityofelmirage.org/bids

A MANDATORY PROSPECTIVE BIDDER'S CONFERENCE 1:00PM (Arizona Time) Tuesday November 15, 2016 at the El Mirage Fire Department, 13601 N. El Mirage Road, El Mirage, AZ. Bid packets must be received by the City no later than 1:00 PM (Arizona Time) Thursday, December 1, 2016. Further delivery instructions are contained in the IFB.

Publish: Daily News-Sun
October 27, 28, 2016; November 4, 5, 2016 / 149132

ARTICLES OF AMENDMENT (SHORT FORM)

1. ENTITY NAME:
HASHEMI CONSTRUCTION LLC

2. A.C.C. FILE NUMBER: L20012879

3. ENTITY NAME CHANGE:
SENECA CONSTRUCTION LLC

SIGNATURE: By checking the box marked "I accept" below, I acknowledge under penalty of perjury that this document together with any attachments is submitted in compliance with Arizona law.

(x) I ACCEPT

/s/Illegible Jahangir Hashemi 10/24/2016

(x) This is a member-managed LLC and I am signing individually as a member or I am signing for an entity member named.

Publish: Daily News-Sun
November 3, 4, 5, 2016 / 151063

ARTICLES OF INCORPORATION NONPROFIT CORPORATION

1. ENTITY NAME - Veterans Community Center

2. CHARACTER OF AFFAIRS - Educational and support services for all US service veterans

3. MEMBERS -
(x) The corporation WILL have members

4. ARIZONA KNOWN PLACE OF BUSINESS ADDRESS:
4.1 Is the Arizona known place of business address is the same of the street address of the statutory agent?
(x) No
4.2 If you answered "No" to number 4.1, give the physical or street address of the known place of business of the corporation in Arizona:
2501 W Behrend Drive, Suite 53
Phoenix, AZ 85027
UNITED STATES

5. DIRECTORS -
Virgil Bland Jr. Dana Swan
2533 W Village Drive 3833 E Saguero Drive
Phoenix, AZ 85023 Phoenix, AZ 85028
UNITED STATES UNITED STATES

6. STATUTORY AGENT -
6.1. Name and physical or street address
Virgil Bland Jr.
Phoenix, AZ 85023

7. REQUIRED - Certificate of Disclosure submitted

8. INCORPORATORS -
Virgil Bland Jr.
2533 W Village Drive
Phoenix, AZ 85023
UNITED STATES

SIGNATURE - By checking the box marked "I accept" below, I acknowledge under penalty of perjury that this document together with any attachments is submitted in compliance with Arizona law.

(x) I ACCEPT

/s/Illegible Virgil Bland Jr. 10/14/2016

Publish: Daily News-Sun
November 3, 4, 5, 2016 / 150867

Articles of Incorporation Tropicana Circle Condominium Association Ltd. A Non-Profit Corporation

1, the incorporator, a natural person age 18 years or older, adopt these Articles of Incorporation to form a nonprofit corporation under the Arizona Nonprofit Corporation Act, A.R.S. Title 10.

Article 1 Name and Address
The name of the nonprofit corporation is Tropicana Circle Condominium Association Ltd. (henceforth "the Association").

Article 2 Principal Place of Business
The principal and known place of business of the Association shall be: 10422 Saratoga Circle Sun City, AZ 85351.

Article 3 Statutory Agent
The name and address of the initial statutory agent shall be:
Jeanne Miller
10422 Saratoga Circle, Sun City, AZ 85351

Article 4 Name and Address of the Incorporator
The name and address of the sole incorporator is:
Yaser Ali
3933 S. McClintock Dr, Ste 505
Tempe, AZ 85282

Article 5 Duration
The nonprofit corporation's duration is perpetual.

Article 6 Purposes
The object and purpose for which this Association is organized is to provide for the ownership, management, maintenance, and care of the Association Property and Common Elements and for the administration of the affairs of the Association.

In furtherance of, and in order to accomplish these objectives and purposes, the Association may transact any or all lawful business for which non-profit corporations may be incorporated under the laws of the State of Arizona, as such laws may be amended from time to time, including the power to indemnify the directors, officers, Members, employees, or agents of the Association in the manner specified in the Bylaws. All business transacted by the Association shall be transacted in a way so as to further its tax-exempt status as an association under the Internal Revenue Code, if the Association so elects to be treated as a tax-exempt organization. The Association came into existence on the date of the filing of the Original Articles with the Arizona Corporation Commission.

Article 7 Membership

1. Identity of Members
The nonprofit corporation shall have members. Membership in the Association shall be limited to Owners of Condominium Units 10402 - 10440 Saratoga Circle, Sun City, AZ, 85351 and Units 10401 - 10445 Tropicana Circle, Sun City, AZ, 85351. The Association shall be a non-stock corporation. No dividends or pecuniary profits shall be paid at any time to its Members. An Owner of a Condominium Unit shall automatically, upon becoming the Owner of such Condominium Unit, become a Member of the Association and shall remain a Member of the Association until the ownership ceases, for any reason, at which time the Owner's membership in the Association shall automatically cease.

2. Transfer of Membership
Membership in the Association shall be appurtenant to each Condominium Unit and a membership in the Association shall not be transferred, pledged, or alienated in any way, except: (i) upon the sale of a Condominium Unit, and then only to the purchaser; (ii) by intestate succession or testamentary disposition; (iii) foreclosure of mortgage (or similar security instrument) of record; or (iv) other legal process. Any attempt to make a prohibited transfer shall be void and shall not be reflected upon the books and records of the Association.

3. Bylaws Control. Rules regarding membership shall be set forth in the Association's Bylaws and shall supercede any conflicting interpretation arising from these Articles.

Article 8 Voting Rights

1. Voting Rights
Members shall be all Owners of Condominium Units. Each Member shall be entitled to one (1) vote for each Condominium Unit owned.

2. Cumulative Voting
There shall be no cumulative voting on any matter related to the administration or organization of the Association or its matters.

3. Bylaws Control. Rules regarding voting shall be set forth in the Association's Bylaws and shall supercede any conflicting interpretation arising from these Articles.

Article 9 Board of Directors

1. Authority of Directors
The Board of Directors will have authority for all affairs of the nonprofit corporation and may exercise all powers of the nonprofit corporation as permitted by federal law, state law, and the Articles of Incorporation and Bylaws of the nonprofit corporation as in effect from time to time.

2. Initial Board Makeup
The number of directors to constitute the first Board of Directors is five. After this initial Board of Directors is organized, it may change the number of directors in the manner provided in the Bylaws and consistent with the laws of the State of Arizona.

The initial members of the Board of Directors are:
Chairman Lynn Applebaum 10418 Saratoga Circle Sun City, AZ 85351
Treasurer Frank Berkowicz 10406 Saratoga Circle Sun City, AZ 85351
Director Carole Gesme 10432 Saratoga Circle Sun City, AZ 85351
Co-Chairman Jeanne Miller 10422 Saratoga Circle Sun City, AZ 85351
Director Linda Vaughn 10415 Tropicana Circle Sun City, AZ 85351

Article 10 Bylaws
In furtherance and not in limitation of the powers conferred upon the Board of Directors by law, the Board of Directors shall adopt, amend, and repeal from time to time, the Bylaws of the Association.

Article 11 Amendments
The Association may amend the Articles of Incorporation in the manner provided by the laws of the State of Arizona as further outlined in the Association's Bylaws.

IN WITNESS WHEREOF, the Articles of Incorporation are signed on this 3rd day of October, 2016.

/s/Illegible Yaser Ali

Publish: Daily News-Sun
November 3, 4, 5, 2016 / 15093



INDEPENDENT
NEWSPAPERS
ArizonaClassifieds.Newszip.com

Classifieds
CALL 623-445-2700

REQUEST FOR COUNCIL ACTION

| | | |
|---|---|--|
| DATE SUBMITTED: 12/19/2016 | TYPE OF ACTION: ___ RESOLUTION # _____ ___ ORDINANCE # _____ <u>X</u> OTHER: Purchase and Contract | SUBJECT: Consideration and action to authorize the purchase of a Multiple Interactive Learning Objectives (MILO) Range Pro Training System from IES Interactive Training under GSA Contract #GS-00F-332CA in an amount not to exceed \$50,818.50 funded from police vehicle impound fees. |
| DATE ACTION REQUESTED: 01/03/2017 | | |
| <u>X</u> REGULAR ___ CONSENT | | |

TO: Mayor and Council

FROM: Terry McDonald, Chief of Police

RECOMMENDATION: Approve the purchase of a Multiple Interactive Learning Objectives (MILO) Range Pro Training System from IES Interactive Training under GSA Contract #GS-00F-332CA in an amount not to exceed \$50,818.50 funded from police vehicle impound fees.

PROPOSED MOTION: I move to authorize the expenditure with IES Interactive Training as presented.

ATTACHMENTS: Quote from IES Interactive Training, IES Interactive Training Sole Source Letter

DISCUSSION: The Arizona Peace Officer Standards and Training Board (AZPOST) requires sworn officers to perform and successfully pass a target identification and judgment shoot once a year. A judgement shoot is where an officer must identify if there is a threat or no threat, and to decide if they are going to use deadly physical force or not.

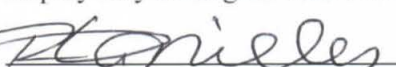
For the past ten years, the department has been conducting such judgement shoots utilizing equipment at other West Valley agencies in order to accomplish this mandate. However, due to the ongoing limited availability of equipment and scheduling opportunities, our department has had to rely on scenario-based role playing in order to meet AZPOST requirements. The MILO Range Pro Training System is a video simulation system where realistic judgement scenarios are displayed on a screen. One or two officers interact with the scenarios testing the officers' judgement. The scenarios the officers participate in are updated frequently in order to provide the most current and realistic situations officers face today.

FISCAL IMPACT: \$50,818.50

DEPARTMENT LINE ITEM ACCOUNT: 28-551-249


BALANCE IN LINE ITEM IF APPROVED: \$113,681.50

Deputy City Manager/Finance Director:


 Robert Nilles

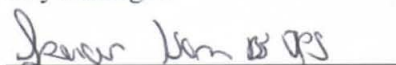
12/29/16
 Date

Approved as to form:


 Robert M. Hall, City Attorney

12/29/16
 Date

City Manager:


 Dr. Spencer A. Isom

12/29/16
 Date



MILO RANGE PRO SYSTEM

Interactive Firearms and Force Options Simulator

FAAC Incorporated

GS-00F-332CA

SIN: 874-9

Proposal prepared for:

City of El Mirage Police Department

Attn: Lt. Randy Stewart

El Mirage, Arizona

December 19, 2016

MILO Range PRO Interactive Training Simulator
GSA Contract Number: GS-00F-332CA
FAAC Incorporated
SIN: 874-9

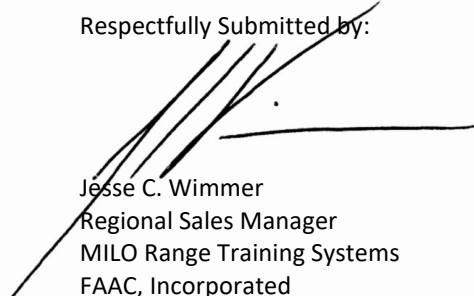
Thank you for your interest in the interactive MILO Range Firearms Training Simulators from FAAC, Incorporated. This proposal will provide you with requested system information, specifications, pricing and details for the system and equipment you've inquired about.

The MILO use of force and firearms training simulators have been selected by the most demanding law enforcement, military and public safety agencies, and are in daily use around the world in over 40 countries. The MILO Range training system is a comprehensive solution that is designed to allow trainers the ability to give presentations and classes, conduct interactive testing and assessment, and provide immersive hands-on scenario based exercises with detailed debriefing and after action review. Each MILO system is designed to increase trainee knowledge, skills and confidence in a safe, challenging environment that is highly interactive and engaging.

Through our 20-year history of providing innovative interactive simulation training solutions, MILO has become widely regarded as a low-risk, highly reliable contracting and business partner. We have the industry's most dedicated and experienced sales and support team on staff, and all MILO customers receive the best technical service in the business, including free software updates, newly filmed and released scenarios with new exercises and environments to keep interest high and skills sharp.

FAAC and I both sincerely appreciate the consideration of our proposal and also to have the opportunity to be of service to the men and women of your agency.

Respectfully Submitted by:



Jesse C. Wimmer
Regional Sales Manager
MILO Range Training Systems
FAAC, Incorporated
Office: 800.344.1707
Cell: 303.378.5283
Fax: 734.531.4002
Email: jesse.wimmer@milorange.com



www.milorange.com

MILO RANGE PRO TRAINING SIMULATOR

| Item | Description | Qty. | Unit Price | Extended Price |
|------|---|------|---------------------------------------|---------------------------------------|
| 1 | MILO Range PRO System with 5.1 Audio System GSA Item # MILO-RNG-P <ul style="list-style-type: none"> ▪ MILO CPU – Based on MS Windows OS ▪ HD Projector (1920 x 1080) 2800+ lumens high contrast ▪ HD (12' x 7') fast-fold projection Screen ▪ 16-device Hit Detection Box with Flashlight option ▪ All Power and Video Cables, Power Strip ▪ Touch-screen LCD Flat Panel Monitor ▪ Keyboard and Optical Mouse ▪ Speakers/Digital Audio Surround Sound System ▪ Transport Cases for System and Peripheral Items ▪ 850+ Multi-Branching Interactive Scenarios are Pre-loaded as well as 55+ Skill-BUILDER exercises | 1 | \$37,800.00 GSA Item | \$37,800.00 GSA Item |
| | FREE Access to MILO Range Digital Scenarios New HD Scenarios available (approx.12-15 available per quarter) | Inc. | | |
| | Course Designer Program The Course Designer Program is editing software program that can be used to create lessons, tests and presentations for classrooms, auditoriums, and training rooms or for one on one instruction. Allows the user to utilize both digital video and computer graphics capabilities to create fully interactive training videos and/or graphics based training environments. Includes HD Camera for scenario filming. | Inc. | | |
| | Dry-Fire Laser Training Inserts: System includes: Includes two (2) Replica Glock Training Weapons (ATF non-gun) | Inc. | | |
| | OC Spray Training Devices Laser modified OC spray training devices for less-lethal applications. Thumb or trigger activation. Includes two (2) OC Laser devices standard | Inc. | | |
| | Low Light Training Program Allows the trainee to use real flashlight in-conjunction with his/her weapon for low light training. This system is non-lane based which allows for multiple users. Includes two (2) MILO flashlights with IR lenses | Inc. | | |
| | Baton/Punch/Strike Branching and Scoring Allows the trainer to manually branch the scenario while the trainee uses his actual baton or makes a strike. The system will branch and score the use of action as a baton strike. | Inc. | | |
| | Trainee Action Capture (TAC) with Picture-in-Picture Video/Audio Debrief Audio and color video capture of trainee's actions in a scenario for immediate or later debriefing and review. | Inc. | | |
| | Graph-X Targets Allows the user to utilize any of the Graph-X modules for Marksmanship, Shoot-house, Basic Targets and Range Practice includes 55+ interactive CGI skill-builder exercises | Inc. | | |

| | | | | |
|--|---|----------|--------------------|--------------------|
| | Statistics and Management Allows user to manipulate the database information as to create individual and/or group statistics using relevant filtering criteria | Inc. | | |
| | Delivery, Insurance and Standard 2-year Warranty | Inc. | | |
| | System and Peripheral Training Required (US sales only) Four Students at Customer Site for three (3) days. Includes scenario editing and creation, as well as COF design. | Inc. | | |
| (A) MILO RANGE PRO TRAINING SYSTEM TOTAL: | | 1 | \$37,800.00 | \$37,800.00 |

| Optional Training Items Requested by City of El Mirage Police Department | | | | |
|--|--|------|------------------------------|------------------------------|
| Item | Description | Qty. | Unit Price | Total Price |
| 2 | WRK Recoil Kit- AR/M4 GSA Item #MILO-RECOIL-RIFLE Drop-In tether-less recoil kit with two (2) CO2 refillable magazines. No permanent modification to weapon required.*Kit does <u>not</u> include weapon | 1 | \$2,100.00 GSA Item | \$2,100.00 GSA Item |
| 3 | X2 TASER Laser Weapon w/ TWO cartridges Government Discounted Item Includes: Taser weapon modified for use on the MILO Range and two (2) dual-laser cartridges with 8 degree separation. | 1 | \$2,295.00 Gov't Discount | \$2,295.00 Gov't Discount |
| 4 | Ceiling Mount Installation Kit Kit includes projector mount, hit detection box mount, cabling, ceiling tile, and standard 9' ceiling post. Custom length posts are optional and may include additional charges. | 1 | \$1,995.00 | \$1,995.00 |
| (B) Requested Optional Training Items Total: | | | | \$6,390.00 |

| Additional Requested Warranty Coverage for City of El Mirage Police Department | | | | |
|--|--|------|------------------------|------------------------|
| Item | Description | Qty. | Unit Price | Total Price |
| 5 | Bronze Warranty Coverage for Years Three+ GSA Item #MILO-WTY-BRONZE (Two-years full-coverage included with MILO PRO System Proposed) <ul style="list-style-type: none"> - Based on 5% of initial system cost plus peripherals (\$44,190.00) - Bronze Warranty coverage is for 12 month increments - Warranty covers all items (excludes batteries and bulbs) - Bronze Warranty can be purchased in 1-Year Increments - See Bronze Warranty description below | 3 | \$2,209.50 GSA Item | \$6,628.50 GSA Item |
| (C) Requested Extended Warranty Coverage Total: | | | | \$6,628.50 |

| | | | |
|---|--|--|--------------------|
| MILO Range PRO System Sub-Total (A): | | | \$37,800.00 |
| MILO Range PRO Requested Options Sub-Total (B): | | | \$6,390.00 |
| Requested Extended Warranty Coverage Total (C): | | | \$6,628.50 |
| Total System Cost for City of El Mirage Police Department (A+B): | | | \$50,818.50 |

-See Important Terms and Conditions Below-

FAAC (Seller) STANDARD TERMS AND CONDITIONS

1. Payment Terms: ½% 15, NET 30 days
2. **Orders should be issued to "FAAC Incorporated"**
3. Delivery: 60 Days ARO (Theater), 45 Days ARO (PRO, Advanced, Classic)
4. Partial Shipment and/or Partial Invoice are: Permitted.
5. Warranty: 24 Months from date of acceptance.
6. If this sale is subject to Use Tax, then you are liable for the tax and should make payment direct to your taxing authority. However, we may collect Sales Tax for the following States: AK, CA, CO, FL, HI, IA, KS, MA, ME, MI, MO, MS, NC, NE, NJ, NV, NY, SC, TN, TX, UT, WA, WI and WV
7. Quote Valid 90 days.
8. All prices quoted in US Dollars (\$USD)
9. This proposal may contain both GSA and open market items. GSA items are identified with a GSA part number and contain the marking "GSA Item" in the Unit Price column. All other items are to be considered open market. Open market items are allowed under circumstances set forth in FAR 8.402(f).

PURCHASING/CONTRACTING INFORMATION

1. Cage Code – 3J401
2. Tax ID – 38-2690218
3. DUNS – 175204163
4. GSA Schedule # (if applicable) - GS-00F-332CA
5. Vendor POC – MILO Contracts
6. Phone – 800-344-1707
7. Email – Contracts@faac.com
8. Order Fax to 734.531.4002



A PRODUCT OF FAAC INCORPORATED • 1229 OAK VALLEY DRIVE • ANN ARBOR MI 48108 • 800-344-1707 • WWW.MILORANGE.COM

AN AROTECH TRAINING & SIMULATION COMPANY

To Whom It May Concern:

This letter serves as a sole source document for products manufactured, delivered, and supported by FAAC Incorporated (MILO Range). FAAC does not utilize any US Distributors or outside representation. All products are sold directly from the manufacturer.

FAAC's MILO Range use-of-force training products provide a realistic and safe environment in which to train law-enforcement, military and security officers in use of force decision making, tactics, and firearms use. The MILO Range family of products offers many industry unique features including:

- Up to 16 separately identifiable weapons simultaneously
- Microsoft Kinect technology incorporated into CGI and video-based training
- Programmable, multi-assigned laser devices (pistol inserts, OC canisters, and Taser cartridges)
- Optional firearms & shooter diagnostic module (FDU)
- Integrated driving simulation capability (Driving Force)

The following use of force training products and accessory products are manufactured, distributed and supported solely by FAAC:

- MILO Range PRO/ PRO v4/ PRO v4 Upgrade
- MILO Range Integrated Kinect Application and Software
- MILO/ FAAC Driving Force
- MILO Range Theater
- MILO Range Shoot House
- MILO Range Classic
- MILO Range FDU
- MILO Course Designer
- MILO Range Advanced
- MILO Range Classroom
- Range 2000
- Range 3000 (XP4)

As FAAC is the manufacturer of all of these products, it is the only authorized agency to provide aftermarket upgrades, extended warranty and service/support. Some of the products listed above are protected under one or more US Patents.

Sincerely,

Christopher J. Caruana
Executive Vice President

REQUEST FOR COUNCIL ACTION

| | | |
|--|--|---|
| DATE SUBMITTED: <u>12/27/2016</u> | TYPE OF ACTION: <u>X</u> RESOLUTION # <u>R17-01-01</u> <u> </u> ORDINANCE # <u> </u> <u> </u> OTHER: | SUBJECT: Consideration and action to approve Resolution R17-01-01 updating the locations for legal postings for agendas, public hearings and other publications requiring legal posting. |
| DATE ACTION REQUESTED: <u>01/03/2017</u> | | |
| <u>X</u> REGULAR <u> </u> CONSENT | | |

TO: Mayor and Council

FROM: Sharon Antes, City Clerk *pro*

RECOMMENDATION: Approve Resolution R17-01-01 updating the locations for legal postings for agendas, public hearings and other publications requiring legal posting.

PROPOSED MOTION: I move to approve Resolution R17-01-01 as presented.

ATTACHMENTS: Resolution R17-01-01

DISCUSSION: This Resolution will approve the location change in legal postings to the New City Hall address of 10000 N. El Mirage Road and update the new City website address to www.elmirageaz.gov.

FISCAL IMPACT: None

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Deputy City Manager/Finance Director:

Robert Nilles
Robert Nilles

12/29/16
Date

Approved as to form:

Robert M. Hall
Robert M. Hall, City Attorney

12/29/16
Date

City Manager:

Spencer A. Isom
Dr. Spencer A. Isom

12/29/16
Date

RESOLUTION R17-01-01

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA, APPROVING POSTING LOCATIONS FOR AGENDAS, PUBLIC HEARINGS AND OTHER PUBLICATIONS REQUIRING LEGAL POSTINGS.

WHEREAS, City Hall has been relocated from 12145 NW Grand Avenue to 10000 N. El Mirage Road, and

WHEREAS, provisions have been made for an exterior bulletin board to be installed at the 10000 N. El Mirage Road City Hall location,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of El Mirage, that for the convenience of the citizens of El Mirage, the new legal posting locations shall be:

City of El Mirage, Exterior Bulletin Board, 10000 N. El Mirage Road, and
City of El Mirage Website at: www.elmirageaz.gov

PASSED AND ADOPTED by the Mayor and Common Council of the City of El Mirage, Arizona, this 3rd day of January, 2017.

Lana Mook, Mayor

ATTEST:

APPROVED AS TO FORM:

Sharon Antes, City Clerk

Robert Hall, City Attorney